

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 7961



INTRODUCED BY REP. GREG G. GASATAYA

EXPLANATORY NOTE

This bill seeks to create the Sum-ag State College (SSC) by converting the Sum-ag National High School (SNHS) in Brgy. Sum-ag, Bacolod City, Province of Negros Occidental. Consistent with the constitutional mandate of the State to protect and promote the right of all citizens to quality education at all levels and take appropriate steps to make such education accessible to all, this bill seeks to bring educational opportunities to underprivileged but deserving students unable to pay for the quality but expensive education and costs of living in private institutions in the province, neighboring provinces, and our country's capital city. With education made more accessible by the recent enactment of Republic Act No. 10931 otherwise known as the Universal Access to Quality Tertiary Education Act, the State must also proactively address other remaining issues such as the sudden influx of students and geographic constraints by creating more higher education institutions and bringing schools closer to the public.

The SNHS is the third biggest Public Secondary School with an approximate student population of 4,000 in the City of Bacolod, Province of Negros Occidental offering Grades 7-12 and other special science classes. With a land area of about five hectares, the school has complete equipment, laboratories, and facilities for its special science courses and to accommodate more students and academic programs. The conversion of the SNHS into a higher education institution will benefit thousands of students not only in Bacolod City, but also in the neighboring cities and municipalities such as Silay, Talisay, Kabankalan, Binalbagan, Pontevedra, Murcia, *et al* due to its strategic location.

Furthermore, through the conversion of the school into a state college that offers courses on science and technology focusing on Agriculture and Technical-Vocational Education as well as both Masteral and Doctoral Degrees without compromising quality secondary education, Senior High School alumni of the school will be able to readily enroll at the college and thus avail of the ladderized program of education that will enable them to pursue a college degree earning appropriate, equivalent credits for previous learning acquired in their Technical-Vocational courses.

Such ventures in education affecting the skills and readiness of workers are investments in the human capital which shapes the economy of a community. As such, the State must recognize that the establishment of educational institutions is imperative.

In view of the foregoing, passage of this bill is earnestly sought.



REP. GREG G. GASATAYA
Lone District of Bacolod

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AN ACT
CONVERTING THE SUM-AG NATIONAL HIGH SCHOOL (SNHS)
IN THE CITY OF BACOLOD, PROVINCE OF NEGROS
OCCIDENTAL, INTO A STATE COLLEGE TO BE KNOWN AS
THE SUM-AG STATE COLLEGE (SSC) AND APPROPRIATING
FUNDS THEREFOR AND FOR OTHER PURPOSES

*Be it enacted by the Senate and the House of Representatives of the
Philippines in Congress assembled:*

1 **SECTION 1. Conversion.** The Sum-ag National High School
2 (SNHS) in Barangay Sum-ag, Bacolod City, Province of Negros Occidental,
3 is hereby converted into a state college to be known as the Sum-ag State
4 College (SSC), hereinafter referred to as the College. Its main campus shall
5 be in Bacolod City.

6
7 **SEC. 2. General Mandate.** The College shall primarily provide
8 advance studies and research, higher professional and technical instructions
9 for special purposes, short-term technical-vocational, and other continuing
10 courses as may be relevant. It shall also undertake extension and
11 development programs, and provide the necessary instructional and research
12 leadership in agriculture in the City of Bacolod and in the Province of
13 Negros Occidental.

14
15 **SEC. 3. Curricular Offerings.** The College shall offer
16 undergraduate, graduate and short-term technical-vocational courses, and
17 other degree and non-degree courses within its areas of specialization,
18 according to its capacity, and as the Board of Trustees may deem necessary

1 to carry out its objectives and to meet the needs of the City of Bacolod and
2 the Province of Negros Occidental.

3
4 The existing and any other future technical-vocational courses or
5 programs under the supervision of the Technical Education and Skills
6 Development Authority (TESDA) shall continue to be offered at the
7 College's campus.

8
9 The existing high school shall continue to be under the jurisdiction and
10 supervision of the Department of Education: *Provided*, That the College may
11 operate a reasonably-sized laboratory high school if it has a College of
12 Education.

13
14 **SEC. 4. Administration.** The College shall have the general powers of
15 a corporation set forth in the corporation law. The administration of the
16 College and the exercise of its corporate powers shall be vested exclusively
17 in the Board of Trustees, and in the president of the College, insofar as
18 authorized by the Board.

19
20 **SEC. 5. The Governing Board.-** The governing body of the College
21 shall be the Board of Trustees, hereinafter referred to as the Board, which
22 shall be composed of the following:

- 23
24 a. The Chairperson of the Commission on Higher
25 Education (CHED), Chairperson;
26 b. The President of the College, Vice- Chairperson
27 c. The Chairperson of the Committee of Education, Arts
28 and Culture of the Senate, member;
29 d. The Chairperson of the Committee of Education, Arts
30 and Culture of the House of Representatives, member;
31 e. The Regional Director of the National Economic
32 Development Authority (NEDA), Region VI, member;
33 f. The Regional Director of the TESDA, member;
34 g. The Regional Director of Department of Science and
35 Technology (DOST), member;
36 h. The Regional Director of Department of Agriculture
37 (DA), member;
38 i. The president of the faculty association of the College,
39 member;
40 j. The president of the student council of the College,
41 member;

- 1 k. The president of the alumni association of the College,
2 member;
3 l. Two (2) prominent citizens who have distinguished
4 themselves in their profession or fields of
5 specialization of the College, members.
6

7 The two (2) prominent citizens shall be chosen from among the list of
8 at least five (5) qualified persons in the Province of Negros Occidental, as
9 recommended by the search committee constituted by the College President
10 in consultation with the Chairperson of the CHED and the other members of
11 the Board, based on the normal standards and qualifications for the position.
12

13 The term of office of the President of the faculty association, the
14 President of the student council and the President of the alumni association
15 shall be coterminous with their respective terms of office as set forth in their
16 respective constitution and by-laws.
17

18 The two (2) prominent citizens shall serve a term of two (2) years
19 from the date of appointment.
20

21 **SEC. 6. *Promulgation and Implementation of Policies.*** The Board
22 shall promulgate and implement policies in accordance with the declared
23 State policies on education and other pertinent provisions of the Philippine
24 Constitution on education, agriculture, science and technology, as well as the
25 policies, standards and thrusts of the CHED under Republic Act No. 7722,
26 otherwise known as the "Higher Education Act of 1994" and the TESDA
27 under Republic Act No. 7796, otherwise known as the "TESDA Act of
28 1994".
29

30 **SEC. 7. *Powers and Duties of the Board of Trustees.*** In addition to
31 its general powers of administration and the exercise of all powers granted to
32 the board of directors of a corporation under existing laws, the Board shall
33 have the following specific powers and duties:
34

- 35 a. To promulgate rules and regulations not contrary to laws as
36 may be necessary to carry out the purpose and functions of
37 the College;
38 b. To receive and appropriate all sums as may be provided, for
39 the support of the College in the manner it may determine in
40 its discretion to carry out the purpose and functions of the
41 College;

- 1 c. To import duty-free economic, technical and cultural books
2 and/or publications upon verifications by the CHED that such
3 imported books and/or publications are for economic,
4 technical, vocational, scientific, philosophical, historical or
5 cultural purposes in accordance with the provisions of the
6 Tariff and Customs Code, as amended;
- 7 d. To receive, in trust, all kinds of legacies, gifts and donations
8 of real and personal properties and to administer and dispose
9 the same when necessary for the benefit of the College and
10 subject to the limitations, directions and instructions of the
11 donor, if any;
12 Such donations shall be exempt from the donor's tax and the
13 same shall be considered as allowable deductions from the
14 gross income in the computation of the income tax of the
15 donor, in accordance with the provisions of the National
16 Internal Revenue Code (NIRC), as amended: Provided, That
17 such donation shall not be disposed of, transferred or sold;
18 and
- 19 e. To fix the tuition fees and other necessary school charges
20 such as matriculation fees, graduation fees and laboratory
21 fees, as the Board may deem proper to impose, after due
22 consultation with the involved sectors. Such fees and charges,
23 including government subsidies and other income generated
24 by the College, shall constitute the special trust funds and
25 shall be deposited in any authorized government depository
26 bank, and all interests that shall accrue therefrom shall form
27 part of the same funds for the use of the College. Any
28 provision of existing laws, rules and regulation to the contrary
29 notwithstanding, any income generated by the College from
30 tuition fees and other charges as well as from the operation of
31 auxiliary services and land grants, shall be retained by the
32 College, and may be disbursed by the Board for instruction,
33 research, extension or other programs/projects of the College;
34 *Provided*, That all fiduciary fees shall be disbursed for the
35 specific purposes which they were collected: *Provided*,
36 *however*, That if, for reasons beyond its control, the College
37 shall not be able to pursue any project for which the funds
38 have been appropriated and allocated under its approved
39 program of expenditures, the Board may authorize the use of
40 the said funds for any reasonable purpose which, in its

discretion, may be necessary and urgent for the attainment of the objectives and goals of the College;

f. To adopt and implement a socialized scheme of tuition and school fees for greater access to education of poor but deserving students in accordance with the provisions of Republic Act No. 10931, otherwise known as the "Universal Access to Quality Tertiary Education Act";

g. To authorize the construction or repair of its buildings, machinery, equipment and other facilities, and the purchase and acquisition of real and personal properties including the necessary supplies, materials and equipment;

h. To appoint, upon the recommendation of the President of the College, the vice presidents, deans, directors and heads of departments, faculty members, and other officials and employees of the College;

i. To fix and adjust the salaries of faculty members and administrative officials and employees, subject to the provisions of the Revised Compensation and Position Classification System and other pertinent budget and compensation laws governing hours of service and such other duties and conditions as it may deem proper; to grant them, at its discretion, leaves of absence under such regulations as it may promulgate, any provision of existing law to the contrary notwithstanding, and to remove them for cause in accordance with the requirements of due process of law;

j. To approve the curricula, instructional programs, and rules of discipline drawn by the administrative and academic councils herein provided;

k. To set the policies on admission and graduation of students;

l. To award honorary degrees upon persons in recognition of their outstanding contribution in the fields of education, public service, arts, science and technology, agriculture or in any field of specialization within the academic competence of the College; and to authorize the awarding of certificates of completion of non-degree and non-traditional courses;

m. To establish and absorb non-chartered tertiary institutions within the Province of Negros Occidental as branches and centers, in coordination with the CHED and in consultation with the Department of Budget and Management (DBM), and to offer therein programs or courses to promote and carry out

1 equal access to educational opportunities, as mandated by the
2 Constitution;

3 n. To establish research and extension centers of the College
4 where such will promote the development of the latter;

5 o. To establish professorial chairs in the College and to
6 provide fellowships for qualified faculty members and
7 scholarships to deserving students;

8 p. To delegate any of its powers and duties provided herein to
9 the President or other officials of the College as it may deem
10 appropriate, so as to expedite the administration of the affairs
11 of the College;

12 q. To authorize an external management audit of the College, to
13 be financed by the CHED, subject to the rules and regulations
14 of the Commission of Audit (COA); and to institute reforms,
15 including academic and structural changes on the basis of the
16 audit results and recommendations;

17 r. To collaborate with other governing boards of other state
18 universities and colleges (SUCs) within the Province of
19 Negros Occidental and Region VI, under the supervision of
20 the CHED an in consultation with the DBM, and work for the
21 restructuring of the College to become more efficient,
22 relevant, productive and competitive;

23 s. To enter into joint ventures with business and industry for
24 profitable development and management of the economic
25 assets of the College, the proceeds of which shall be sued for
26 the development and strengthening of the College;

27 t. To develop consortia and other linkages with local
28 government units (LGUs), institutions and agencies both
29 public and private, local and foreign, in the furtherance of the
30 purpose and objectives of the College;

31 u. To develop academic arrangements for institutional
32 capability building with appropriate institutions and agencies,
33 public or private, local or foreign, and to appoint
34 experts/specialists as consultants, part-time or visiting or
35 exchange professors, scholars or researchers, as the case may
36 be;

37 v. To set up the adoption of modern and innovative modes of
38 transmitting knowledge such as the use of information
39 technology, the dual training system, open distance learning,
40 and community laboratory, for the promotion of greater
41 access to education;

- 1 w. To establish policy guidelines and procedures to promote
- 2 participative decision-making and transparency within the
- 3 College;
- 4 x. To privatize, where most advantageous to the College, the
- 5 management of non-academic services such as health
- 6 services, food services, building or grounds or property
- 7 maintenance, and such other similar activities; and
- 8 y. To extend the term of the president of the College beyond
- 9 the age of retirement, whose performance has been
- 10 unanimously rated by the governing board as outstanding,
- 11 after unanimous recommendation by the search committee,
- 12 but not beyond the age of seventy (70).

13
14 **SEC. 8. Meetings of the Board.** The Board shall convene regularly at
15 least once every quarter. However, the Chairperson of the Board may, upon
16 three (3) days prior written notice, call a special meeting whenever
17 necessary.

18
19 A quorum of the Board shall consist of a majority of all its members
20 holding office at the time of the meeting; *Provided: however,* That the
21 Chairperson of the Board or the President of the College is among those
22 present in the meeting.

23
24 In the absence of the Chairperson of the CHED, a Commissioner of the
25 CHED, duly designated by the CHED chairperson as representative in the
26 meeting, shall have all the rights and responsibilities of a regular member;
27 *Provided, however,* That during this meeting, the President of the College, as
28 Vice-Chairperson, shall be the presiding officer; *Provided, further,* That this
29 proviso notwithstanding, the Chairperson of the CHED is hereby authorized
30 to designate a CHED Commissioner as the regular Chairperson of the Board,
31 in which case said CHED Commissioner shall act as the Presiding Officer.

32
33 In case the Chairpersons of the Congressional Committees on
34 Education shall not be able to attend the Board meeting, they may designate
35 their respective representatives who shall have the same rights and
36 responsibilities as the regular member of the Board.

37
38 The members of the Board shall not receive any salary but shall be
39 entitled to reimbursements for actual and necessary expenses incurred, either
40 in their attendance to meetings of the Board or in connection with other

1 official business authorized by resolution of the Board, subject to existing
2 laws and regulations.

3
4 **SEC. 9. *The College President.*** The College shall be headed by a
5 President who shall render full-time service. The President shall be
6 appointed by the Board, subject to the guidelines, qualifications and/or
7 standards set by the Board, upon recommendation of a duly constituted
8 search committee.

9
10 The College President shall have a term of four (4) years and shall be
11 eligible for reappointment to another term: *Provided*, That this proviso
12 notwithstanding, and in order to effect a smooth transition to a state college,
13 the incumbent administrator of the SNHS, if qualified, shall serve as the first
14 president of the College. The remaining term of the incumbent administrator
15 of the SNHS shall be considered as the first term as College President

16
17 Within six (6) months before the expiration of the term of office of the
18 incumbent President of the College, the Board shall constitute the Search
19 Committee for the Presidency (SCP).

20
21 In case of vacancy in the office of the President by reason of death,
22 compulsory retirement, resignation, removal for cause or incapacity of the
23 President to perform the functions of the office, the Board shall have the
24 authority to designate an Officer-in-Charge (OIC) of the College pending the
25 appointment of a new President. Within six (6) months from the date of
26 vacancy, the Board shall constitute a Search Committee for the Presidency.

27
28 The powers and duties of the President of the College, in addition to
29 those specifically provided in this Act, shall be those usually pertaining to
30 the Office of the President of similar colleges, and those delegated by the
31 Board.

32
33 The salary of the President of the College shall be in accordance with
34 the Revised Compensation and Position Classification System and shall be
35 comparable to that being by the presidents of similar educational institutions.

36
37 The President of the College shall be assisted by a Vice President for
38 Academic Affairs and a Vice President for Administration, who shall be
39 appointed by the Board upon the recommendation of the President.

1 **SEC. 10. *Administrative Council.*** There shall be an Administrative
2 Council consisting of the President of the College, as Chairperson, and the
3 vice-presidents, deans, directors, and other officials of equal rank as
4 members, whose duty is to implement the policies governing the
5 administration, management and development of the College, as approved
6 by the Board.

7
8 **SEC. 11. *Academic Council.*** There shall be an Academic Council
9 composed of the President of the College, who shall act as Chairperson, and
10 all members of the academic staff with the rank of not lower than assistant
11 professor, as members.

12
13 The Academic Council shall have the power to review and
14 recommend the curricular offerings and rules of discipline of the College,
15 subject to the appropriate action by the Board. It shall fix the requirements
16 for the admission of students, as well as for their graduation and conferment
17 of degrees, subject to review and approval by the Board through the
18 President of the College. It shall also have disciplinary powers over students
19 of the College and shall formulate academic policies and rules and
20 regulations on discipline, subject to the approval of the Board.

21
22 **SEC. 12. *The Secretary of the College.*** The Board shall appoint a
23 Secretary, who shall serve as such for both the Board and College, and who
24 shall keep all records and proceedings of the Board in addition to other
25 duties and responsibilities. The Secretary shall serve upon each member of
26 the Board the appropriate notice of Board meetings.

27
28 **SEC. 13. *The Treasurer of the College.*** The Treasurer of the
29 Philippines shall be the *ex officio* treasurer of the College.

30
31 **SEC. 14. *Faculty.*** No political belief, gender preference, cultural or
32 community affiliation or ethnic origin, and religious opinion or affiliation
33 shall be the matter of inquiry in the appointment of faculty members of the
34 College: *Provided, however,* That said appointment shall be subject to the
35 qualifications and standards set by the Board: *Provided, further,* That no
36 member of the faculty shall teach for or against any particular church or
37 religious sect.

38
39 **SEC. 15. *Scholarships Program/Admission.*** The College shall
40 provide a scholarship program and other affirmative action programs to
41 assist poor but deserving students who qualify for admission to the College.

1
2 No student shall be denied admission to the College by reason of
3 sex, nationality, religion, cultural or community affiliation or ethnic origin.
4

5 **SEC. 16. *Academic Freedom and Institutional Autonomy.*** The
6 College shall enjoy academic freedom and institutional autonomy pursuant
7 to paragraph 2, Section 5 of Article XIV of the Constitution of the Republic
8 of the Philippines.
9

10 **SEC. 17. *Filing of Annual Report.*** On or before the fifteenth (15th)
11 day of the second month after the opening of the regular classes each year,
12 the Board shall file with the Office of the President of the President of the
13 Philippines, through the Chairperson of the CHED, and with both Houses of
14 Congress, a detailed report on the progress, conditions and needs of the
15 College.
16

17 **SEC. 18. *Authority to Lend or Transfer***
18 ***Apparatus/Equipment/Supplies and Detail of Personnel.*** The heads of the
19 bureaus and offices of the national government are hereby authorized to
20 lend, transfer, upon the request of the President of the College, such
21 apparatus, equipment or supplies as may be needed by the College, and to
22 detail employees for duty therein when, in the judgment of the head of
23 bureau or office, such apparatus, equipment, supplies or services of such
24 employees can be spared without serious detriment to the public service.
25 The employees so detailed shall perform such duties as required of them by
26 the President of the College, and the time so employed shall be counted as
27 part of their regular services.
28

29 **SEC. 19. *Assets, Liabilities and Personnel.*** All assets, real and
30 personal, personnel and records of the SNHS in Brgy. Sum-ag, Bacolod
31 City, Province of Negros Occidental, as well as its liabilities or obligations,
32 are hereby transferred to the College: *Provided:* That the positions, rights
33 and security of tenure of the academic staff and personnel therein employed
34 under the existing laws prior to the conversion of the SNHS into the College
35 shall be respected: *Provided, finally:* That the College shall also include an
36 upgrade or increase in its human resource component.
37

38 All parcels of land belonging to the government occupied by the
39 SNHS are hereby declared the property of the College and shall be titled
40 under that name: *Provided,* That should the College cease to exist, or be
41 abolished, or such aforementioned parcels of land be no longer needed by

1 the College, the title to said parcels of land shall be transferred to the LGU
2 of Bacolod City, Province of Negros Occidental.

3
4 **SEC. 20. *Development Plan, Management Audit, Organizational/***
5 ***Administrative/Academic Structure.*** Within the period of one hundred
6 twenty (120) days after the approval of this Act, the College shall
7 accomplish the following:

8
9 a. Submit a five (5)-year development plan, including its
10 corresponding program budget to the CHED, for corresponding
11 recommendation to the DBM;

12 b. Undergo a management audit in cooperation with the CHED;

13 c. Accordingly set up its organizational, administrative as well as
14 academic structure, including the appointment of the College key officials;
15 and

16 d. Set in motion the establishment of at least four (4) separate
17 degree-granting units, one of which is in the arts and sciences, and another
18 unit for non-degree technical-vocational education and training.

19
20 **SEC. 21. *Compliance with CHED Requirements.*** The provisions of
21 this Act notwithstanding, the establishment or conversion of the institution
22 into a state college shall become effective only upon the determination and
23 declaration by the CHED, based on the recommendation of a panel of
24 experts it shall constitute for the purpose, that the institution has complied
25 with the requirements for a college status based on CHED Memorandum
26 Order No. 46, series of 2012 (Policy Standards to Enhance Quality
27 Assurance (QA) in Philippine Higher Education Through an Outcomes-
28 Based and Typology-Based QA): Provided, That the panel may issue such a
29 recommendation when the institution has substantially complied with the
30 requirements for the grant of status as state college.

31
32 The institution shall retain its status prior to the effectivity of this Act
33 until such time that it is able to comply with the requirements provided
34 herein.

35
36 **SEC. 22. *Tax Exemptions.*** The importation of economic, technical
37 and cultural books and publication, which are for economic, technical,
38 vocational, scientific, philosophical, historical or cultural purposes made by
39 the College, upon certification by the CHED, shall be exempt from customs
40 duties in accordance with the provisions of the Republic Act No. 10863,
41 otherwise known as the "Customs Modernization and Tariff Act (CMTA)".

1
2 All grants, bequests, endowments, donations and contributions made
3 to the College to be used actually, directly and exclusively by the College
4 shall be exempt from donor's tax and the same shall be considered as
5 allowable deduction from the gross income of the donor for purposes of
6 computing the taxable income of the donor in accordance with the
7 provisions of the National Internal Revenue Code of 1997, as amended.
8

9 **SEC. 23. *Supplementary Application.*** The provisions of Republic Act
10 No. 8292, otherwise known as the "Higher Education Modernization Act of
11 1997," shall be an integral part of this Act and shall serve of the governing
12 charter of the College.
13

14 **SEC. 24. *Parity Clause.*** All other powers, functions and privileges,
15 responsibilities and limitations to state colleges and their officials under
16 existing laws shall be deemed granted to or imposed upon the College and
17 its officials whenever appropriate.
18

19 **SEC. 25. *Appropriations.*** The amount necessary to carry out the
20 provisions of this Act shall be charged against the current year's
21 appropriations for the SNHS. Thereafter, such sums as may be necessary for
22 the operation and maintenance of the College shall be included in the annual
23 General Appropriations Act.
24

25 **SEC. 26. *Implementing Rules and Regulations.*** Within sixty (60)
26 days upon the effectivity of this Act, the Board, in consultation with the
27 CHED, shall formulate the guidelines to fully implement the provisions of
28 this Act.
29

30 **SEC. 27. *Separability Clause.*** If, for any reason, any part or
31 provision of this Act is declared invalid or unconstitutional, the remaining
32 parts or provisions not affected shall remain in full force and effect.
33

34 **SEC. 28. *Repealing Clause.*** All laws, presidential decrees,
35 executive orders, rules and regulations contrary to or inconsistent with the
36 provisions of this Act are hereby repealed or modified accordingly.
37

38 **SEC. 29. *Effectivity.*** This Act shall take effect fifteen (15) days after
39 its publication in the Official Gazette or in a newspaper of general
40 circulation.
41

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Approved,



REP. GREG G. GASATAYA
Lone District of Bacolod